

In re Patent Application of

Atty Dkt. 1331-143

C# M#

Reid W. von Borstel, et al

Group Art Unit: 1623

Serial No. 08/463,740

Examiner: Owens, H.

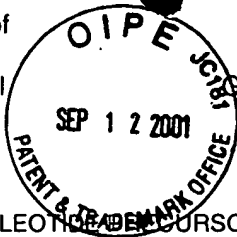
Filed: June 5, 1995

Date: September 12, 2001

Title: PYRIMIDINE NUCLEOTIDE ANALOGS FOR TREATMENT OF SYSTEMIC INFLAMMATION AND INFLAMMATORY HEPATITIS

Assistant Commissioner for Patents

Washington, DC 20231



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SEP 14 2001

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1623  
#27  
9-21-01  
*[Signature]*

Sir:

**IDS**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0 x \$ 18.00	\$ 0.00

Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0 x \$ 80.00	\$ 0.00

If proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)	\$ 0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months)	\$ 0.00
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Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$710.00)	\$ 0.00
<input type="checkbox"/> Please enter the previously unentered, filed	
<input type="checkbox"/> Submission attached	

<b>Subtotal</b>	<b>\$ 0.00</b>
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If "small entity," then enter half (1/2) of subtotal and subtract	-\$ 0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith	

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
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Assignment Recording Fee (\$40.00)	\$ 0.00
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Other:	0.00
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<b>TOTAL FEE ENCLOSED</b>	<b>\$ 0.00</b>
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The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to our Account No. 14-1140 and if necessary to treat this as a petition for entry of the IDS. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

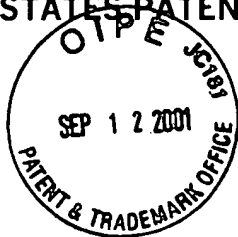
In re Patent Application of

Reid W. von Borstel, et al

Serial No. 08/463,740

Filed: June 5, 1995

For: PYRIMIDINE NUCLEOTIDE PRECURSORS FOR  
TREATMENT OF SYSTEMIC INFLAMMATION AND  
INFLAMMATORY HEPATITIS



Atty. Ref.: 1331-143

Group: 1623

Examiner: Owens, H.

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\* \* \* \* \*

September 12, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT**

This paper is presented to draw the Examiner's attention to related copending applications and the art cited against claims in those cases. The present application is one of three co-pending applications containing claims related to the combination of certain acylated pyrimidines and an inhibitor of uridine phosphorylase. The other two cases are:

Serial No. 08/460,186, filed June 2, 1995 (attorney docket 1331-138); and  
Serial No. 08/473,330, filed June 7, 1995 (attorney docket 1331-156).

Claims 41 and 58-67 of the present application and Claims 101-102 of the '330 application are directed to compositions, whereas Claims 18-19 of the '186 application are directed to a method. Claims 41 and 58-67 of the present application stand rejected on alleged obviousness grounds over Von Borstel (WO 89/03837) in view of Chu et al. (U.S. patent 4,613,604). Claims 18 and 19 in the '186 case stand rejected, along with other claims, on alleged obviousness grounds over Martin et al. (Cancer Research, 1982) or Sommadossi et al.

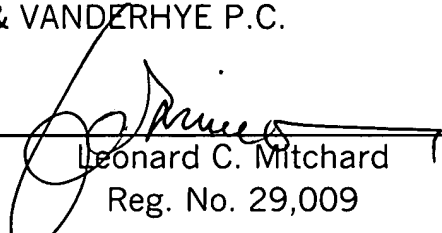
(Antimicrobial Agents and Chemotherapy, 1988) in view of Von Borstel (WO 89/03837) and Falcone et al. (Blood, 1990). Claims 101-102 of the '330 application stand rejected on alleged obviousness grounds over Calabresi et al. (Blood, 76, 1990) in view of Von Borstel (WO 89/03837).

Sommadossi et al. (Antimicrobial Agents and Chemotherapy, 1988), Falcone et al. (Blood, 1990) and Calabresi et al. (Blood, 76, 1990) are not of record in the present case. Von Borstel (WO 89/03837) and Chu et al. (U.S. patent 4,613,604) are of record, and the Examiner's attention has been drawn to Martin et al. (Cancer Research, 1982) in the IDS filed September 12, 1995, and again in the IDS filed September 5, 2001. For completeness, a copy of Sommadossi et al. (Antimicrobial Agents and Chemotherapy, 1988), Falcone et al. (Blood, 1990), Calabresi et al. (Blood, 76, 1990) and Martin et al. (Cancer Research, 1982) is attached, together with a completed PTO 1449. Entry of the present paper into the record of this case is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

  
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Attachment: PTO 1449 and 4 refs.

INFORMATION DISCLOSURE  
CITATION

(Use several sheets if necessary)

PATENT DOCKET NUMBER

13347142  
APPLICANT

Reid W. von Borstel, et al

FILING DATE

June 5, 1995

SERIAL NO.

08/465,455

GROUP

1623

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

D.S. Martin et al, "Cancer Res., 42, 3964-3970, 1982, "High-Dose 5-Fluorouracil with Delayed Uridine 'Rescue' in Mice."

J. Sommadossi et al, Antimicrobial Agents and Chemotherapy, Vol. 32, No. 7, p. 997-1001, July 1988, "Uridine Reverses the Toxicity of 3'-Azido-3'-Deoxythymidine in Normal Human Granulocyte-Macrophage Progenitor Cells In Vitro without Impairment of Antiretroviral Activity."

A. Falcone et al, Blood, Vol. 76, No. 11, pp 2216-2221, (December 1, 1990), "Differential Effect of Benzylacyclouridine on the Toxic and Therapeutic Effects of Azidothymidine in Mice."

P. Calabresi et al, Blood, Vol. 76, No. 11, pp 2210-2215 (December 1990), "Benzylacyclouridine Reverses Azidothymidine-Induced Marrow Suppression Without Impairment of Anti-Human Immunodeficiency Virus Activity."

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